

### **Remarks**

The following remarks are submitted to address the issues raised in the Office Action mailed September 24, 2004.

Claims 1-7 and 11-62 are pending in the present application.

Claims 2-7, 11, 13-17, 19, 21-27, 29, 31-40, and 46-60 are held withdrawn.

Claims 8-10 are canceled.

Claims 1, 41-45, 61 and 62 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese patent 7-51550 to Hamada et al.

Claims 12, 18, 20, 28, and 30 were considered to be allowable by the Examiner but were objected to as being dependent on a rejected claim.

No new matter has been added. The foregoing rejections and other items in the Office Action are addressed in the following paragraphs. Consideration of the pending claims is respectfully requested in view of the following comments.

### **Amendments**

The claims have not been amended from the form submitted in the Office Action Response filed June 15, 2004.

#### **Claims 1, 41-45, 61, and 62 - 35 U.S.C. § 112, second paragraph**

Applicants respectfully traverse the rejection of claims 1, 41-45, 61, and 62 under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 61 and 62 ultimately depend from claim 1. In claims 61 and 62, the R<sub>4</sub> group includes aryl groups disubstituted with groups of the formula -L-C<sub>1</sub>-C<sub>6</sub>-alkyl-N(alkyl)<sub>2</sub>.

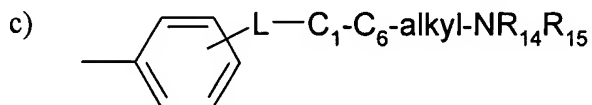
Contrary to the Examiner's statements, the R<sub>4</sub> group in claims 61 and 62 falls within the scope of claim 1. In claim 1, the R<sub>4</sub> group includes aryl groups substituted with at least one group of the formula -L-C<sub>1</sub>-C<sub>6</sub>-alkyl-NR<sub>14</sub>R<sub>15</sub>. As recited in claim 1, the aryl group in R<sub>4</sub> may be further substituted with a group of the formula -Y-C<sub>1-6</sub>-alkyl-NR<sub>14</sub>R<sub>15</sub>, where the L and Y groups are similarly defined. (See page 9 of this Response).

Thus, claims 61 and 62 fall within the scope of claim 1, and Applicants respectfully request that the rejection of claims 1, 41-45, 61, and 62 as being indefinite be withdrawn.

**Claim 1 - 35 U.S.C. § 102(b)**

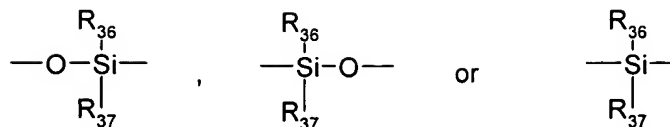
Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Japanese patent 7-51550 to Hamada et al. that discloses [1-[[[4-[[2-(dimethylamino)ethyl]ethylamino]phenyl]amino]carbonyl]-3-methylbutyl]-carbamic acid phenylmethylester ("Hamada carbamic acid"). Applicants submit that the compounds disclosed in Hamada do not fall within the scope of the genus of compounds recited in claim 1.

For example, the Hamada carbamic acid does not fall within the scope of the genus of compounds recited in claim 1. Referring to claim 1, the compound of Formula (I) contains an R<sub>4</sub> group that may be of the formula



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wherein L is -CH<sub>2</sub>-, -O-, -N(H)-, -S-, SO<sub>2</sub>-, -CON(H)-, -NHC(O)-, -NHCON(H)-, -NHSO<sub>2</sub>-, -SO<sub>2</sub>N(H)-, -C(O)-O-, -NHSO<sub>2</sub>NH-, -O-CO-,



The L group does not include a disubstituted amino group.

Further, the aryl group in R<sub>4</sub> may be optionally substituted with a group of the formula: -Y-C<sub>1-6</sub>-alkyl-NR<sub>14</sub>R<sub>15</sub>, or -Y-C<sub>1-6</sub>-alkyl-W-R<sub>16</sub>. The Y group does not include a disubstituted amino group. (See pp. 8-9 of this Response).

The Hamada carbamic acid contains a dialkyl substituted amino group at the same relative position as the L or Y groups in R<sub>4</sub> of claim 1.

Thus, the compounds disclosed in Hamada do not fall within the scope of claim 1, and Applicants respectfully request that the rejection of claim 1 as anticipated by Hamada be withdrawn.

### **Claims 12, 18, 20, 28, and 30 - Objection**

Claims 12, 18, 20, 28, and 30 were considered to be allowable by the Examiner but were objected to as being dependent on a rejected claim. Applicants respectfully traverse the objection to claims 12, 18, 20, 28, and 30.

Claims 12, 18, 20, 28, and 30 depend from claims 1 and 61. As described above, Applicants have traversed each and every rejection of claims 1 and 61.

**Fees**

This complete response is being filed within 3 months of the mailing of the Office Action of September 24, 2004. As a result, no fee is believed to be due.


**Conclusion**

In conclusion, Applicants request consideration of the Remarks, and passage of the application to issuance.

Respectfully submitted,

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